

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

**FINDINGS AND RECOMMENDATION OF THE MAGISTRATE JUDGE
UPON A PLEA OF GUILTY BY DEFENDANT BRADLEY WALKER**

TO: THE HONORABLE RUDY LOZANO,
UNITED STATES DISTRICT COURT

Upon Defendant Bradley Walker's request to enter a plea of guilty pursuant to Rule 11 of the Federal Rules of Criminal Procedure, this matter came for hearing before Magistrate Judge Paul R. Cherry, on May 9, 2012, with the consent of Defendant Bradley Walker, counsel for Defendant Bradley Walker, and counsel for the United States of America.

The hearing on Defendant Bradley Walker's plea of guilty was in full compliance with Rule 11, Federal Rules of Criminal Procedure, before the Magistrate Judge in open court and on the record.

In consideration of that hearing and the statements made by Defendant Bradley Walker under oath on the record and in the presence of counsel, the remarks of the Assistant United States Attorney and of counsel for Defendant Bradley Walker,

I FIND as follows:

(1) that Defendant Bradley Walker understands the nature of the charge against him to which the plea is offered;

(2) that Defendant Bradley Walker understands his right to trial by jury, to persist in his plea of not guilty, to the assistance of counsel at trial, to confront and cross-examine adverse witnesses, and his right against compelled self-incrimination;

(3) that Defendant Bradley Walker understands what the maximum possible sentence is, including the effect of the supervised release term, and Defendant Bradley Walker understands that the sentencing guidelines apply and that the Court may depart from those guidelines under some circumstances;

(4) that the plea of guilty by Defendant Bradley Walker has been knowingly and voluntarily made and is not the result of force or threats or of promises;

(5) that Defendant Bradley Walker is competent to plead guilty;

(6) that Defendant Bradley Walker understands that his answers may later be used against him in a prosecution for perjury or false statement;

(7) that there is a factual basis for Defendant Bradley Walker's plea; and further,

I RECOMMEND that the Court accept Bradley Walker's plea of guilty to the offense charged in Count 1 of the Indictment and that Defendant Bradley Walker be adjudged guilty of the offense charged in Count 1 of the Indictment and have sentence imposed. A Presentence Report has been ordered. Should this Report and Recommendation be accepted and Bradley Walker be adjudged guilty, a sentencing date before Senior Judge Rudy Lozano will be set by separate order. Objections to the Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B).

So ORDERED this 9th day of May, 2012.

s/ Paul R. Cherry

MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT

cc: All counsel of record
Honorable Rudy Lozano